

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Panchayats –Mylavaram Gram Panchayat & Mandal, Krishna District - Removal of the Sarpanch under subsection (1) of 249 of APPR Act 1994 - Appeal Petition filed by Smt O. Hemalatha, Removal Sarpanch, Mylavaram Gram Panchayat and Mandal before the Government - dismissed- Orders - Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (PTS.II) DEPARTMENT

G.O. Rt. No. 991

Date: 30-06-08
Read the following:

1. From the Collector(PW), Krishna District Roc. No. 2153/206 Pts.3, dt 28-04-08.
2. From Smt O. Hemalatha, Removal Sarpanch, Mylavaram Gram Panchayat and Mandal, Krishna Dist., dt 15-05-08.
3. Govt Telegram No. 12118/Pts.II/A2/08-1, dt 122-05-08.
4. From the District Collector(PW), Krishna Dist., Roc. No. 2153/206 Pts.3, dt 29-0508.

-o0o--

ORDER:

In the references Ist read above, the District Collector (PW), Krishna District has removed Smt O. Hemalatha, Sarpanch, Mylavaram Gram Panchayat and Mandal, Krishna District from the Post of Sarpanch of Mylavaram Gram Panchayat, Krishna District under sub section (1) of 249 of APPR Act, 1994 for abused her powers.

2. Aggrieved by the above said orders, in the reference 2nd read above Smt O. Hemalatha, Sarpanch, Mylavaram Gram Panchayat and Mandal, Krishna District has filed a revision petition before the Government requesting to set aside and stay the orders passed by the District Collector (PW), Krishna District.

3. In the reference 3rd read above, informed to all concerned for attending personal hearing.

4. The case was heard on 2-06-08. The Petitioner and Divisional Panchayat Officer attended the hearing. The petitioner's advocate while reiterating the contents of the petition has stated that it is rather unjustified to punish the petitioner for the commissions and omissions committed by her husband without the knowledge of the petitioner. He has also contended that the Petitioner is not aware of the incident of digging the road and it is the villagers who have come forwarded to remove the mud accumulated on the road voluntarily as the Gram Panchayat is not taking up the work. He has therefore requested to set aside the impugned proceeding and allow the appeal.

5. The Advocate on behalf of the Gram Panchayat Vice President though not a party to the proceeding before the District Collector (PW) has appeared and pleaded to implead him as a party in the appeal under consideration. There is no justification to implead the Vice-President as a party in the present proceedings.

PTO

//2//

6. Government have examined the material on record and the contentions raised in the revision petition and the points that emerged during the hearing. It is on record that during the enquiry it was stated by the owner of the JCP that the Sarpanch of the Gram Panchayat has contacted him for hiring of JCP accordingly the JCP was sent to the village but it was found engaged in digging the road as per the instruction of Sri O. Srinivasa Rao the husband of the Sarpanch, the petitioner herein. A reading of the depositions recorded in the enquiry and the result of the enquiry amply proves that the Petitioner as Sarpanches of the Gram Panchayat instead of protecting the properties of Gram Panchayat and to act as custodian of the properties of Gram Panchayat has contrary engaged herself and encouraged her husband to destroy the public road causing lot of inconvenience to the public and caused pecuniary loss to Gram Panchayat. There are no merits in the revision petition and that there is no valid reason to interfere with the order of District Collector (PW), Krishna District. Therefore the Government hereby dismiss the revision petition filed by Smt O. Hemalatha, Sarpanch, Mylavaram Gram Panchayat and Mandal, Krishna District.

7. The District Collector (PW), Krishna District is requested to take necessary follow up action accordingly as per APPR Act, 1994.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

CHITRA RAMACHANDRAN
SECRETARY TO GOVERNMENT

To

The District Collector (PW), Krishna District, Machilipatnam.

The Commissioner, PR &RE, A.P., Hyderabad.

The District Panchayat Officer, Krishna District, Machilipatnam.

Copy to:

Smt O. Hemalatha, Sarpanch, Mylavaram Gram Panchayat and Mandal,
Krishna District.

Sf/Sc.

//Forwarded by Order//

SECTION OFFICER